

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF NORTH CAROLINA

In Re:

BRIGGS, WILEY REED
BRIGGS, CATHY SELLARS
2227 SHADY LANE
BURLINGTON, NC 27217

)
xxx-xx-4045)
xxx-xx-4679)
)
)
Debtors)

**Motion and Notice
Chapter 13**

No: 13-11580 C-13G

The undersigned Standing Trustee respectfully moves the Court for an Order as follows:

This Plan was confirmed February 19, 2014. Santander Bank, NA is being paid as a secured mortgage claimant through the disbursements by the Trustee in reference to Claim 8 on an account with last four digits 6153. The Order confirming the plan indicates the arrearage is to include the mortgage payments due through and including the month of February 2014. An order was entered in this case April 28, 2014 increasing the arrearage claim of Santander Bank, NA to \$872.24 to represent arrearage on the account through and including February 2014. The Trustee is informed and believes based on a review of the arrearage claim filed by Santander Bank, NA that the arrearage claim represented the arrearage on the account through the November 2013 payment rather than December 2013 due to the payment being due for December after the date of the petition filing. The Trustee is informed and believes that the arrearage claim of Santander Bank, NA should be increased by \$200.06 representing including the December 2013 payment for a total arrearage claim of \$1,072.30. The Trustee recommends that an Order be entered increasing the arrearage claim of Santander Bank, NA to \$1,072.30 to represent total arrearage on the account through and including the mortgage payment for February 2014 without prejudice to an objection being filed to the mortgage claim of Santander Bank, NA.

Date: February 9, 2018

AJKT:lac

s/Anita Jo Kinlaw Troxler _____
Standing Trustee

NOTICE

TAKE NOTICE THAT any interested party who has an objection to the Motion MUST FILE A WRITTEN OBJECTION on or before March 19, 2018 with the parties named on the attached Parties To Be Served list and with the U.S. Bankruptcy Court at the following address:

*101 S. Edgeworth Street
Greensboro, NC 27401*

If no objections are filed within the time period, the Court will consider this motion without a hearing. If objections are timely filed, a hearing on the motion will be held on April 24, 2018 at 2:00 p.m., in the following location:

*Courtroom #2
Second Floor
101 S. Edgeworth Street
Greensboro, NC 27401*

Date: **February 15, 2018**

OFFICE OF THE CLERK
U.S. Bankruptcy Court

PARTIES TO BE SERVED

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ANITA JO KINLAW TROXLER
STANDING TRUSTEE
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GREENSBORO NC 27401-1720

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2227 SHADY LANE
BURLINGTON, NC 27217

CATHY SELLARS BRIGGS
2227 SHADY LANE
BURLINGTON, NC 27217

SHERRI LYNN HAMLETT ESQ
P O DRAWER 59
BURLINGTON, NC 27216

SANTANDER BANK NA
% SOVEREIGN BANK NA
MAIL CODE: 10-6438-FB7
601 PENN STREET
READING, PA 19601

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